

REMARKS

By the present amendment, claims 1, 6, 7 and 18 have been amended to incorporate therein the subject matter of claim 5, claim 5 has accordingly been canceled, and claim 18 has additionally been amended to delete the words "and/or prevention."

Claims 1-4, 6-8 and 10-21 are pending in the present application. Claims 1-4 and 16-17 are directed to an adenosine-5'-diphosphate (ADP)-ribosylation inhibitor, claims 6-8 and 10-15 are directed to a composition for the treatment of diphtheria comprising such inhibitor, and claims 18-21 are directed to a method for the treatment and/or prevention of enterotoxin type bacterial infectious disease.

In the Office Action, claims 1-4, 6-8 and 10-21 are rejected under 35 U.S.C. 102(b) as anticipated by WO 98/16111 (Rhozon, a newly cited reference).

Reconsideration and withdrawal of the rejection is respectfully requested. Claims 1, 6, 7 and 18 have been amended to recite the features of claim 5, which was not rejected over Rhozon. Claims 2-4, 7-8, 10-17 and 19-21 depend on claim 1, 6, 7 or 18 directly or indirectly. Accordingly, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claim 18 is rejected under 35 U.S.C. 112, first paragraph, as not enabled. It is alleged in the Office Action that the experiments in the specification are directed to treatment and not prevention, so that claim 18 is not enabled for prevention.

Reconsideration and withdrawal of the rejection is respectfully requested. Claim 18 has been amended to delete the words "and/or prevention." Accordingly, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 01-2340.

Respectfully submitted,

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